IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

SUIT NO.2722 OF 1984

M/s. Afro Asian Associates. ...Plaintiff.
Vs.
M/s. Champion Auto Parts & Ors. ...Defendants..
....
Mr.Vivek Khemka i/b. K. R. Dhanuka & V.S. Khemka & Co. for the Plaintiff.
Mr. Kunal Shah i/b. Bhat & Saldanha for Defendant Nos.2 and 3.
.....

CORAM : DR.D.Y.CHANDRACHUD, J.

November 14, 2006.

P.C.

By an order dated 22nd July 2005, the suit came to be decreed as against Defendant Nos.1 to 3 and was dismissed as against Defendant No.4 as being barred by limitation. The judgment was carried in appeal by Defendant Nos.2 and 3. The Judgment and Order of the Learned Single Judge, in so far as the suit came to be decreed as against Defendant Nos.2 and 3, was set aside by a Division Bench on 11th October 2005 in Appeal 738 of 2005 in Suit 2722 of 1984. The suit was accordingly restored so as to proceed against Defendant Nos.2 and 3.

Counsel appearing on behalf of the Plaintiff states that

he has instructions not to press the suit as against Defendant Nos.2 and 3 since the claim is settled out of Court. The suit shall accordingly stand dismissed as against Defendant Nos.2 and 3 on the request of Counsel appearing on behalf of the Plaintiff.

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